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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION
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14 RONALD CODY SARGENT,
15 Plaintiff,
16 v.
17 KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
18 Defendant.¹
19
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No. 1:21-cv-00523-SKO

STIPULATION AND PROPOSED ORDER
TO REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g)

(Doc. 14)

21 The parties stipulate, subject to the approval of the Court, that this action shall be remanded
22 to the Commissioner of Social Security pursuant to section 205(g) of the Social Security Act, as
23 amended, 42 U.S.C. § 405(g), sentence four. Upon remand, the Appeals Council will remand the
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26 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
27 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
28 therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
U.S.C. § 405(g).

case to an administrative law judge for a new hearing and a new decision. The parties further stipulate that the clerk shall enter judgment in favor of Plaintiff and against Defendant.

Respectfully submitted,

DATE: January 18, 2022

s/ Melissa Newel
MELISSA NEWEL
Attorney for Plaintiff
(authorized via email)

PHILLIP A. TALBERT
United States Attorney

DATE: January 18, 2022

By s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' foregoing Stipulation and Order to Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) ("Stipulation to Remand") (Doc. 14), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Acting Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Ronald Cody Sargent and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: January 19, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE